City of Lafayette
Public Meeting Agenda
Special Meeting
Lafayette City Council
Redevelopment Agency

Monday, May 11, 2009 **6:30 pm**
Lafayette Community Center – **Sequoia Room**
500 St. Mary's Road, Lafayette, California

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1) CALL TO ORDER
2) ROLL CALL
3) ADOPTION OF AGENDA
4) PUBLIC COMMENTS
5) CLOSED SESSION
   A. **Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)**

6) ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Appeals Hearing Board Special Meeting

Monday, May 11, 2009 **7:00 pm**
Lafayette Community Center – **Manzanita Room**
500 St. Mary's Road, Lafayette, California

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1) CALL TO ORDER
2) ROLL CALL
3) PLEDGE OF ALLEGIANCE
4) ADOPTION OF AGENDA
5) REPORT FROM CLOSED SESSION
6) PUBLIC COMMENTS
7) PRESENTATIONS
   A. **Recognizing Brayton Noll and Naomi Wasserman for their service on the Youth Commission**
   Recommendation: Receive and file.

   B. **Recognizing Jeff Kent, Contra Costa Bike Commuter of the Year**
   Recommendation: Receive and file.

   C. **Michael Wright Director of Re-Use Project, City of Concord**
   Update on the Plans for the Concord Naval Weapons Station
   Recommendation: Receive and file.

   Convene Appeals Hearing Board

   D. **Update from the Code Enforcement Appeals Board**
   Recommendation: Receive and file.

   Adjourn Joint Session

8) OLD BUSINESS
   A. **Tracy Robinson, Administrative Services Director**
   City Charter and Communications Committee
   Timeline, Process, and Discussion of Council Expectations
   Recommendation: Review the process and timeline. Discuss and direct the Committee.

   B. **Niroop Srivatsa, Planning & Building Services Manager**
   Review of draft comments on the Final Environmental Impact Report (FEIR) for the Moraga Center Specific Plan
   Recommendation: Authorize staff to forward comments to the Moraga Town Council.

9) STAFF REPORTS

10) PUBLIC HEARINGS
   A. **Glenda Warmoth, Assistant Planner**
   Appeal by the applicant of the Planning Commission denial of: MS511-89CC & DR32-David Claydon (applicant), David & Ann Inglis (owners), R-10 Zoning:

Request for: (1) design review pursuant to Section 6-1903 of the Lafayette Municipal Code to construct a 576 sq. ft. second-story addition over the existing garage with a maximum ridge height of 24'- 0" increasing the total square footage to 3,684 sq. ft. thereby requiring (2) a change to Condition of Approval #33 for the minor subdivision that created the lot (file number MS511-89) that restricts the total floor area of all structures on the lot to 3,115 sq. ft. located at 3538 O-Connor Drive, APN 241-200-046.
Recommendation: Adopt Resolution 2009-28 upholding the Planning Commission denial of MS511-89CC & DR32-08.

B. **Sarah Allen, Planning Intern and Michael Cass, Assistant Planner**
GP02-09 City of Lafayette (applicant): Amending Growth Management Element of the Lafayette General Plan to comply with Contra Costa Transportation Authority's Measure J requirements. Amend Goals, Policies and Programs in the Land Use, Circulation and Safety Elements for consistency with the Amended Growth Management Element. Consideration of an addendum to the General Plan Environmental Impact Report.
Recommendation: Consider the matter, take public testimony and adopt Resolution 2009-21 adopt the Addendum to the General Plan Environmental Impact Report; amending the Growth Management Element of the General Plan; amending the Land Use, Circulation and Safety Elements for consistency with the Amended Growth Management Element of the General Plan.

C. **Niroop Srivatsa, Planning & Building Services Manager**
Updating and upgrading the drainage impact and walkways fees: consideration of Ordinance 583 amending Chapter 8-1 of the Lafayette Municipal Code relating to Walkways Impact Fees and Ordinance 584 amending Chapter 8-17 of the Lafayette Municipal Code relating to Drainage Impact Fees.
Recommendation: Introduce Ordinance 583 and 584 and continue to May 26th for the second reading and adoption.

D. **Donna Feehan, Administrative Analyst**
1. **Core Area Landscape and Lighting District 1979-1**
Recommendation: Conduct public hearing and adopt Resolution 2009-30, confirming the Diagram and Assessment for District 1979-1, the Core Area Landscape and Lighting District, for FY 2009-2010.

2. **Residential Lighting District 1979-2**
Recommendation: Conduct public hearing and adopt Resolution 2009-31, confirming the Diagram and Assessment for District 1979-2, the Residential Landscape and Lighting District, for FY 2009-2010.

11) CONSENT CALENDAR

A. **City Council Minutes**
1. **April 27, 2009**
Recommendation: Approve.
2. **April 30, 2009**
Recommendation: Approve.

B. **Resignation letter from Brayton Noll resigning from the Youth Commission**
Recommendation: Accept with regret and schedule recognition.

C. **Resignation letter from Naomi Wasserman resigning from the Youth Commission**
Recommendation: Accept with regret and schedule recognition.

D. **2009 Planning Division Work Plan: Schedule for Completing the Long Range Tasks**
Recommendation: Receive and file.

E. **Award of contract for the 2009 Road and Drain Improvements Project Part B – Project Number 014-9675 includes reconstructing the pavement on Hastings Court, Hilltop Drive, the public portion of Rancho View Drive, Walnut Lane, Evelyn Court and Reliez Station Road between Pleasant Hill Road and Olympic Boulevard**
Recommendation: Adopt the project plans, specifications and project details to conform to the Uniform Construction Accounting Act and award contract for the 2009 Road and Drain Project, Part B to Bay Cities Paving and Grading in the amount of $874,130.94.

F. **Adopt the project plans, specifications and project details to conform to the Uniform Construction Accounting Act for the Stanley Boulevard and Warner Court Intersection Safety Project Number 014-9671 awarded to Cinray Construction in the amount of $52,610.50.**
Recommendation: **Adopt the project plans, specifications and project details to conform to the Uniform Construction Accounting Act for the Stanley Boulevard and Warner Court Intersection Safety Project Number 014-9671.**

G. **Mary Bruns, Senior Transportation**
Grant Application Request – 2009 Federal Funding Cycle
FTA Section 5310 Elderly & Disabled Specialized Transit
Recommendation: (1) Approve an application for the 5310 grant with the understanding that the application may be pulled based on the budget decisions made at the May 26th budget workshop and the June 8th budget public hearing; (2) Authorize the City Manager to sign the "Grant Certifications and Assurances Summary" on behalf of the City of Lafayette; (3) Schedule a public hearing at the regular City Council meeting on June 22, 2009

H. **Juliet Shanks, School Bus Program Manager**
Amending the Lamorinda School Bus Transportation Agency's Joint Powers Authority Agreement to add Piedmont Unified School District
Recommendation: Approve Amendment Three to the Lamorinda School Bus Transportation Agency's Joint Powers Authority Agreement

12) COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. **Councilmembers Federighi and Anduri**
Resolution 2009-27 appointing one new member to the Senior Services Commission
Recommendation: Adopt Resolution 2009-27.

C. **Mayor Tatzin and Councilmember Anderson**
Resolution 2009-29 appointing two new members to the Youth Commission
Recommendation: Adopt Resolution 2009-29.

13) WRITTEN COMMUNICATIONS

A. **Letter dated April 23, 2009 from Barbara North, Contra Costa Chapter of NAIW, requesting a proclamation recognizing May 17th – 23rd as National Association of**

Insurance Women Week.
Recommendation: Discuss and direct staff.

14) ADJOURNMENT to the next regularly scheduled meeting on Tuesday, May 26, 2009.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.
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City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 2007-049.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.